

1885-036 Chancery Causes: B. M. Morgan & Co] for &c vs. Jeremiah Harber &c
Lee Co.

Morgan, Baylor, Fulkerson, Daugherty

CA-Debt

T-Property

To the Hon. John A. Kelly Judge of the Circuit
Courts of Lee County Virginia

Humbly complaining your Orators B. M. Morgan
Charles E. Bayler and Henry J. Morgan late Merchants
and partners in trade under the firm name of B. M. M
organ & Co. who sue for the benefit of said B. M. Morgan
would respectfully show unto your Honor that one Jerem
iah Harber is justly indebted to them in the sum
of Thirty Seven dollars and Eighty five cents, To show
which your Orators state that on the 20th day of March
1874 the said Jeremiah Harber executed to your Orators
his bond under seal dated as aforesaid and herewith filed
Masked (A) by which he promised to pay B. M. Morgan
& Co or order one day after date the sum of \$27.40 for
value received, being a part of the sum above mentioned
And on the 14th day of July 1875. the said Jeremiah Harber
executed to your Orators his second bond under seal, ^{dated as aforesaid} which
is herewith filed Masked (B) by which he promised to
pay to B. M. Morgan & Co, one day after the date thereof
the sum of \$10.45. for value received, being the residue of
the sum first above mentioned and as to each of said bonds
the said Harber waived the benefit of his homestead exemption

Your Orators further state that said Harber on the 6th day of January 1875 paid to them the sum of \$5.20 which is credited on the back of the bond first herein mentioned and subject to this credit, the balance of said two bonds is now justly due and owing to your Orators, no other or further part thereof having been paid thereon by said Harber or any one else.

At the time said two bonds were so executed the said Harber was a citizen and resident of Lee County Virginia but since that time he has removed to the State of Kentucky and he is now a citizen and resident of that State, and has been such for the last two or three years.

Your Orators further state that since said Harber removed to the State of Kentucky his Uncle, one Charles Daugherty lately departed this life intestate and without issue leaving a valuable real and personal estate situated in said County of Lee, One fourteenth part of which descended to the said Jeremiah Harber, and is now owned by him as one of the heirs at law of said Charles Daugherty dead; Soon after the death of said Daugherty one S. D. Fulkerson was appointed executor of his estate, and as such large sums of money went into his hands, One fourteenth of which

after the payment of debts liabilities and charges, is, or will become due the said Jeremiah Harber

Your Orators are advised that one fourteenth part of said real and personal estate so inherited by said Harber is liable by a court of equity, to be taken and applied to the payment of your Orators claim & to attain that end is the object of this Suit.

Your Orators therefore pray that said Jeremiah Harber and L. D. Fulkerson be made defendants to this bill and required to answer the same fully on Oath that said L. D. Fulkerson answer and say how much money he has in his hands which is or will become due to the said Jeremiah Harber. That process of foreign attachment be issued and served on said real and personal estate, so as to hold the said estate subject to the future order of the Court. That Order of publication be made posted and published against said Jeremiah Harber. And upon a final hearing of the cause that a decree be rendered in favor of your Orators against said Harber for said Sum of \$37.85 with legal interest on \$27.40 part thereof from the 21st day of March 1874 and

10 \$6.00 Mr. 1874
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B. M. Morgan to for
 3 Bill & foreign Att
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Spanish Harbor and
 1883, Sept. 25th Bill Filed
 " Oct. 1st Spanish Publi.
 " Nov. 1st C. P. completed.
 " C. case set for hearing
 " Nov. 1st term continued.
 1884, Mr. Devere Court
 " Aug. 1st Court
 1885 Mr. Devere Court

on \$10.45 the residue from the 15th day of July 1875 till paid
 and the cost. Subject to a credit of \$5.20 paid Jan 6 1875
 that so much of said real estate as may be necessary
 be decreed to be sold as will pay said debt and costs,
 or if found more practicable, that said S. D. Fulkerson
 be decreed to pay your Orators a sum sufficient to
 pay said debt and costs if there be a sum sufficient
 in his hands due said Harbor to pay the same, and
 your Orators further pray for all general relief
 may commend with the writ of Habeas Corpus directed to

H. Morgan for Opp.

To the Hon John A. Kelly Judge of
the Circuit Court of Lee County Va

The separate answer and demurer
of Jeremiah Barber to a bill
filed in this Hon. Court against him
by B. M. Morganland aster-

Respondent does not deny the debt-
suit on against him, but he claims
some credit on several of the debts
and submits that there cause should
be consolidated and your ~~order~~ re-
spondent not subjected to such
heavy costs for such small
amounts. He therefore prays that
said cause be consolidated and
only cost of costs decreed against
him. He further represents that he is a
poor man a blacksmith by trade that
the land is favorably located for such
a trade, and the amt due him
1/4 is as much as he needs for
his use & purpose, and that it greatly
derives by him for a home & stop
He more over represents that his
interest in the personal estate
will pay or nearly so all that
he owes and save his land. Besides
no harm can be done by this

Share being laid off to him
as all the others have sold except
3 and they desire a sale - and therefore
no loss can fall upon any
one - Your respondent further re-
presents that he is homeless and
needs the land and, could not with
the money situate himself as well
And having now fully answered
he prays to be dismissed with
his costs.

A. L. Pridmore
for deft.

P.
Jeremiah Herber

ad. L. Inwer

B. M. Morgan

To the Hon. John A. Kelly Judge of the Circuit
Court of Lee County Virginia:

The Answer of L. D. Fulkerson to a bill filed
in this honorable court against him and Jeremiah Harker
by B. M. Morgan & Co who sue for said B. M. Morgan

Respondent says that he supposes it is true that
his co-deft Harker is one of the heirs at law of Charles
Daugherty dead. And he supposes it is also true that
said Harker is and will be entitled to one fourth part
of one half of the personal estate of said Daugherty after
the payment of debts liabilities and charges but as to
how much if any thing may be due said Harker this
respondent cannot now state.

Respondent says he is executor of said Daugherty's estate
and as such has received some ~~Five~~ ^{Four} thousand dollars
and in all probability may receive something further
but how much he cannot now state. He is informed
however that the legates under the will of Polly Daugherty
late widow of said Charles, are entitled to one half of
the net personal estate of said Daugherty.

Respondent further says that John M. Beatty during his
life was admr. of the estate of John M. Beatty dead.
and died before making a final settlement of the matters of that
estate, and that said Beatty's heirs have assented.

brought suit for the settlement of the matters of that estate, and in this suit are claiming a considerable sum. But as to whether they are entitled to recover or not this respondent does not know. But respondent is advised that until these matters are all settled, he cannot safely say that he has anything in his hands due his co-debtor Harber. And yet he is of opinion that upon a final settlement of said Daugherty's ^{estate} personal _{and} something may be due said Harber.

Respondent further says that said Harber has already drawn two orders upon him, one in favor of T. M. Bales and one in favor of Chas. E. Bayles, which will amount in the aggregate to \$50.00 or \$100 which is an appropriation to that extent of his interest in said personal estate.

Respondent is willing to pay anything in his hands due said Harber to whomsoever and how or may direct so soon as the same can be ascertained.

Respondent having now answered as fully as deemed material prays to be hence dismissed:

L. D. Fulkerson
counselor

B.D. Fickerson Curator

Ans } Answer

B. M. Morgan & Co. for v.

Filed Aug. 1884

J. A. G. Hyatt
clerk

B. M. Morgan & Co. for vs. Peff		} In Chy.
vs.		
Jeremiah Harber et al	Defts.	
Harvey M. Hall	Peff	} In Chy.
vs.		
The Same	Defts.	
John D. Morgan	Peff	} In Chy.
vs.		
The Same	Defts.	

These causes came on again to be heard on the papers formerly read in each, and a written statement in the first of said causes filed, whereby Henry J. May an as counsel for each of said plaintiffs was argued by counsel. And it appearing from said written statement filed in said first cause that (A. B.) that since the last term of the court that the debt Harber had to the land attached in the causes, and had procured the purchaser Chas. E. Bayler to settle and adjust the debt and costs, due said three plaintiffs respectively in a manner satisfactory to them. It is therefore adjudged ordered and decreed that said parties be immediately and said three causes stricken from the docket.

B. M. Morgan & Co. for
H. M. Hull &
John D. Morgan

no. { Decennial

Jeremiah Harber

Tristis
Nov. 1884.

Arthur Harker & al	Peff	} In Chy
vs		
Jeremiah Harker & al	Defts	
B M Morgan & Co for &	Peff	} In Chy
vs.		
Jeremiah Harker & al	Defts	
Harvey M. Hall	Peff	} In Chy
vs.		
Jeremiah Harker & al	Defts	
John D. Morgan	Peff	} In Chy
vs		
Jeremiah Harker & al	Defts	
Joseph W. Bales apud for	Peff	} In Chy
vs.		
Jeremiah Harker & al	Defts	

The said Jeremiah Harker will take notice that at the ^{Ston House of Charles E. Baylor in} ~~the clerk's office of the circuit court of Lee County~~ on the ^{23rd} ~~23rd~~ day of Augt 1884. the plaintiffs in the above styled causes now pending in the circuit court of Lee County. will proceed to take the deposition of Charles E. Baylor and L.D. Fulkerson ^{within} which when taken is intended to be read as evidence in the above styled causes ^{on the part of the said plaintiffs} which are to be heard as one cause as against the said Jeremiah Harker

For them Harker & al
B M Morgan & Co for
H M Hall

John D. Morgan

Joseph W. Bales apud for

By Henry J Morgan

Augt 25th 1884.

13 Mr Morgan & Co for & others

vs. { Notice - Aug 23/84.

Jessiah Harber

I do swear that on the 22nd day
of Augt 1884, I delivered to the ^{Son} of
of Jessiah Harber also being a white
freeman ~~as the power of~~ and said
Harber not being at his usual
place of abode, a copy of this
within notice

J. M. Morgan

Sworn to before me this 26 day Augt 1884

H J Morgan Const

B. M. Morgan & Co. for.	vs.	Jeremiah Harbert & al	In Chy
Harvey M. Hall	vs.	Same	" "
John D. Morgan	vs.	Same	" "
Joseph W. Bales agent for.	vs.	Same	" "
Arthur Harber & al	vs.	Same	" "

The deposition of Charles E. Baylot and L. D. Fulkerson taken at the store house of said Baylot pursuant to notice on the 23rd day of Augt 1884 which are intended to be read as evidence on the part of the plaintiffs in the above styled causes now pending in the circuit court of Lee County Va.

The said Charles E. Baylot a citizen of lawful age being duly sworn deposes and says

Witness,
Claims
our day.

I am the Surviving Partner of the late firm of Daugherty and Baylon and as such since the death of said Daugherty I have ^{collected} ~~collected~~ in one way and another of the assets of said firm about the sum of \$11000 as near as I can now estimate the same and of said sum so collected I have paid over to L D Fulkerson as ^{curator} ~~admirer~~ of said Daugherty estate the sum of about \$5000. There is yet due to said firm a considerable amount of debts on a great number of ~~persons~~ ^{persons} consisting of Judgments bonds accounts and but I cannot now say how much I may here after realize on these claims

and this of course will depend on the
solvency of the persons owing said claims
but my best estimate now is that I will
not in all probability realise more than
some \$1000, or may be \$1100. The estate
of said Daugherty or his curator on
a settlement of the matters of said firm
will be entitled to one half its net
proceeds be they much or little

Jeremiah Harber has given me
an order to L. D. Fulkerson Curator
of Chas Daugherty Dec for a note in
my hands due H. Baylon & Bro for
about \$25.00 which order has been
accepted by the said L. D. Fulkerson
curator

And further this witness saith not

Chas. D. Baylon

N^o Lee County Court

I J. W. Woodward a Justice of the Peace
for Lee County Virginia do
certify that the foregoing deposition
of Chas D Baylon was taken
and acknowledged before
me on the day and place
specified in the annexed

notice given under my
hand This 2nd day of Aug
1884

J. W. Woodman, Jr.

Justice Fee 75¢

B. M. Maganral

as { Deposition

Jessie H. Harberal

Filed Aug. 26/84.

J. A. Hyatt
C. C.

B. M. Morgan & Co for &c.	vs.	Jeremiah Harker & Co.	Doubly
H. M. Hall	vs.	Same	" "
John D. Morgan	vs.	Same	" "
Joseph W. Bates & Co.	vs.	Same	" "

The deposition of Charles E. Bayliff & taken pursuant to notice at the clerk's office of the Circuit Court of Lee County on the 15th day of August 1884 which are returned to be read as evidence on the part of the plaintiffs in the above styled causes now pending in the Circuit Court of Lee County. 1884.

No witness appearing on this day the taking of said depositions is adjourned until Monday the 18th Inst at the same place and I certify that Jeremiah Harker attended before me on this day, Augt 15 1884.

J. A. G. Hyatt Clerk,

No witness appearing on this day, the further of depositions in this cause is adjourned until the 25th day of August 1884.

J. A. G. Hyatt Clerk
Aug. 18th 1884.

Pursuant to adjournment.
L. D. Fulkerson a witness of lawful age being presented and first being duly sworn deposeth and says-

I am Curator of the Estate of the late Charles D. Fulkerson and when I was appointed as such, I sold the personal property

of the said documents. While to be
said and returned to the said
a list of the sales made
by me, but the aggregate of these
sales, I do not now remember, but
do not think it will exceed some \$500
or \$20.00 but my said sale bill will
show the exact sum in the appendix.

Since I have been acting as executor
of said Estate Charles E. Boyer survivor
of the late firm of "Vaughan & Boyer" has
paid me about the sum of \$7500.00
\$5000 towards said Vaughn's share of
the assets of said firm, and as to the
much more I am unable to ascertain of
said assets, I cannot now at all have an
exact estimate of same, but probably estimate.

It is further to be mentioned that since I
have been acting as executor
of said firm of R. M. Bales & H. D. Bales
I have been obliged to pay out of my funds which have
been contributed to me
to the present will amount in the aggregate
to about the sum of \$100, including
cost that may have accrued in
favor of Bales as said H. D. Bales
I cannot now at all have an

Personal estate will remain in my hands for distribution, after the payment of costs of administering, funeral expenses and the debts and demands against said decedent's estate, and of course the amount will depend to some extent on the amount of debts for which the estate may be held liable and to some extent upon the amount Mr. Bayler may be hereafter collected of the assets of said firm of Van Slyke & Bayler. I am very well acquainted with the land owned by Charles Bayler & at his death and of opinion that the interest in said land should be promoted by the sale of the entire tract in whole together and it seems to me that the interests mentioned should be promoted by such a sale.

The foregoing exposition of the facts and circumstances, submitted, and referred to before me, I find that the same are as stated above.

13. M. 1882, in 1882

25 ³/₂ 1882

2 ³/₂ L. G. Fitterson

Perennially 1882

Taken before me
20 Aug. 1882

26 1884. 10 1/2 1884

B M. Morgan & Co. for &c. Peffs
 vs. } In Chy. Circuit
 Jeremiah Harber & al Defts Court Lee County Va.

I B M. Morgan the beneficial plaintiff in the above
 styled suit now pending in the Circuit Court of Lee
 County, do swear that in said suit the Peffs for my benefit
 ought to recover against said Jeremiah Harber the sum
 of \$37.85 with interest on \$27.40 from 21st day of March 1874
 and on \$10.45 the residue thereof from the 15th day of July
 1875. till paid, subject to a credit of \$5.20 paid Jan 6-1875;
 that the Peffs have present cause of action against said
 Jeremiah ^{Harber} ~~thereof~~, that said Harber is a non resident
 of the state of Virginia And that he ^{owns and} has real estate
 in Lee Co Va. and has
 and money due him in the county aforesaid, so help me
 god.

Sworn to before me by B M. Morgan the 22nd Sep 1885
 Peter Bays J, P

B. M. Morgan & Co
25 { Aff'd for Attachment
Jeremiah Harder & Co

B. M. Morgan & Co for or	Peff	} In Chy
vs.		
Jeremiah Harb	Defts	
Harvey M. Hall	Peff	} In Chy.
vs.		
The same	Defts	
John D. Morgan	Peff	} In Chy
vs.		
The same	Defts	

To the Hon John A. Kelly Judge of the
Court of Lee County Virginia:

Since the last term of your Honor's Court, the
^{in the above three cases -}
 said Jeremiah Harb, has sold and conveyed his undivided
 interest in the Deaparty land (being the land attached in
 said three cases) to Mr Charles C. Bayler. And Mr Bayler
 having assumed the payment of the debt and cost
 claimed each of said plaintiffs in said three cases as
 decreed them on the 29th day of Augt 1884. And Mr Bayler
 having executed his bond for the same, which is satisfactory
 to each of said plaintiffs, the object in each said case
 in this way been attained: Said three suits may
 therefore be stricken from the docket.

Samuel J. Morgan attorney for
 each of said three Plaintiffs
 Nov. 1884

B. M. Morgan vs. for
Harvey W. Hall &
John D. Morgan

vs. } statement of Counsel
}

Jeremiah Harker vs.

(A. B.)

1. The first part of the paper
is devoted to a general
description of the
country and its
resources.

2. The second part of the paper
is devoted to a description of the
climate and the
vegetation of the
country.

3. The third part of the paper
is devoted to a description of the
mineral resources of the
country.

4. The fourth part of the paper
is devoted to a description of the
animal resources of the
country.

5. The fifth part of the paper
is devoted to a description of the
human resources of the
country.

6. The sixth part of the paper
is devoted to a description of the
economic resources of the
country.

Presented to the
Board of Directors
of the
City of New York
for the
year ending
1891
by the
Comptroller
of the City

For the year ending

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B. M. Morgan vs.	Jeremiah Harber sub.	In by		
H. M. Hall vs.	Same	" "		
John D. Morgan vs.	Same	" "		
The following statement shows the debt and costs in the above three cases calculated down to Sep 1-1884.				
Bal on \$27.40 note due B. M. Morgan & Co (after credit thereon)		37	07	
Note \$10.45 due same date from July 14. 1875		16	15	
Add for costs of suit to March Term 1884.		27	08	80 30
<hr/>				
H. M. Hall paid due Jan 1-1877.		50	00	
Interest on Same to Sep 1-1884.		23	00	
Add for costs of suit to March Term 1884.		27	04	100 04
<hr/>				
John D. Morgan's note due Dec 3-1878.		45	75	
Interest on Same to Sep 1-1884.		4	77	
Add for costs of suit to March 1884.		27	08	77 60
<hr/>				
Judgt of Justice of peace herewith filed J. P. Graham vs.				
Jeremiah Harber due Feb 12th 1875 for		12	00	
costs for costs of suit to		1	00	
Interest on same to Sep 1-1884.		6	88	19 88
<hr/>				
Total due on said four claims to Sep 1-1884.				277 82

The claims stated above amount in the aggregate as I truly believe to said sum of \$277.82 And in addition to these the said Jeremiah Harber owes the late firm of Ayers & Morgan one thousand part of a lawyers fee of \$600.00 for which no suit has been brought, and which is a lien on the land, as will be seen by reference to two papers

herewith filed marked A+B. And moreover said Harber owes 1/3 part
of the court costs in defending the suit of Polly Daugherty, and a like
part of the costs of a suit for a partition or sale of the Daugherty land
still pending in court.

In addition to these there is the case of Joseph W. Bales against
said Harber in which the plaintiff seeks to recover about
\$150.00 cash lent from Jan 1873 to 1874, and in this suit the real estate
of the debt has been attached. But this suit will be defended as I am
informed, and of course I cannot say or even guess what the result
may be.

Henry J. Morgan

Augt 21st 1884.

Statement of debts and claims

185.

Jerome Harbor - - -

Bellevue Aug 20 1854

J. A. Hyatt & Co



\$275

March 30th

1874

One day after date, I promise to pay to
B M Morgan & Co or order, Twenty & 40/100

Dollars for value received, and I hereby waive, as to this
debt, the exemption from liability of the property which I may be entitled to hold ex-
empt under the provisions of the HOMESTEAD LAW. Witness my hand and Seal.

A^o

Josiah H. H. L. S.

L. S.

1875

Wm L. Cory cash
\$52.00

(47)



§ 11-45

July 14

1875-

One day

after date, I promise to pay to

B M Marguette

or order, Ten + 45¢

Dollars for value received, and I hereby waive, as to this debt, the exemption from liability of the property which I may be entitled to hold exempt under the provisions of the HOMESTEAD LAW. Witness my hand and Seal.

Nº

Serenuel Barker L. S.

L. S.

(B)

Polly Daugherty

Peff

vs.

Mary F. Edmondson et al

Defts

In Chy. Circuit Court
Lee County Va.

Due to and Morgan the Sum of one hundred
dollars as an absolute fee in the above styled case
and in the event that the heirs of Elias Harber dead
shall succeed in defeating the will of Elias Daugherty
decd. I agree to be set off by said debt, and shall
succeed in recovering the real and personal estate
of said Charles Daugherty decd. & a part thereof
then and in that event, we further bind ourselves
as heirs &c. to pay said Ayres & Morgan the
Sum of five hundred dollars, and we each hereby
waive the benefit of our homestead exemption as to these
two debts. And we hereby assign to said Ayres &
Morgan so much of the real and personal estate as
we may recover from said estate as will be sufficient
to pay said two Sums. Witness our hands and seals
this 7 day of October 1882.

Samuel P Harber

Polly ^{her} Harber

Wallis J Harber

William J ^{his} Harber

Chas ^{his} Harber

Jas B ^{his} Bergier

Hannah ^{his} Harber

Arthur ^{his} Harber

Seal

Seal

Seal

Seal

Seal

Seal

Seal

Samuel P. Harber & Co

To { Obligation

Ayers & Morgan

(A)

Whereas the Heirs of Elias Harber have employed Myers
& Morgan to defend the suit brought by Polly Daugherty,
to establish the will of Elias Daugherty dec'd & for their services
have agreed to pay them an absolute fee of one hundred ^{dollars} and
a contingent fee of five hundred dollars and have
assigned them so much of the real and personal estate
as may be obtained from said estate as will be necessary
to pay said two Sums. I Jeremiah Harber one of the
Heirs of Elias Harber dec'd do by these presents agree with
the other Heirs of said Harber to pay said two Sums
and to make the said assignment along with them
Witness my hand & seal this 8th day of Nov
Jeremiah Harber

Jeremiah Husher

To { Obligation

Ayers + Morgan

(B)

Know all men by these presents that we John
P. Graham and Henry J. Morgan are held and
firmly bound unto Jeremiah Harber in the sum of
Twenty five dollars for the payment thereof well
and truly to be made to said Harber we bind our
selves jointly and severally firmly by these pres-
ents. Witness our hands and seals this ^{19th day Jan 1884} ~~20th Dec 1883~~

The condition of this bond is that the above bound
John P. Graham has obtained from H. C. Joslyn a justice
of the peace for Lee County Va. an attachment against
the ~~Estate~~ of said Jeremiah Harber for the sum
of \$12.00 with interest thereon from the 12th day
of Feb, 1875 till paid and has caused the same
to be levied on one undivided fourteenth part of the
real estate lately owned by Chas. Daugherty and as
the property of said Jeremiah Harber.

Now if said Graham shall well and truly pay
all such damages as may be sustained by said
Harber or any one else by the serving out of the said
attachment, then this bond to be void otherwise
to remain in full force. John P. Graham (seal)

Henry J. Morgan (seal)

John P. Graham

To { attachment bond

Jeremiah Harker

109714
Jury 4. 1875

\$ 12.00 One day after date I promise to pay John S.
Graham Twelve Dollars and I hereby waive the benefit
of the Homestead act for value Received witness my
hand and seal this 11th day of February 1875
Jeremiah Barker (seal)

Jerry Harbor

To Note \$12.00

or the within note
smith work \$1.87 1/2

Virginia Lee County Court:

To the Sheriff or any Constable of Lee County.

Whereas John P. Graham has this day made complaint and information on Oath before Henry C. Joslyn a Justice of the peace in and for the County and State aforesaid that one Jeremiah Harber is justly indebted to him in the sum of twelve dollars with legal interest thereon from the 12th day of February 1875 till paid that said sum became due and payable on the day last mentioned, that he has present cause of action against ^{said} Harber therefore, that said Harber is a non-resident of the state of Virginia, and that he is the owner of real estate situated in said county of Lee and is also entitled ^{to} and owns personal estate in said county of Lee; These are therefore in the name of the Commonwealth of Virginia to require you forthwith to attach the estate of the said Jeremiah Harber for the amount of the said claim, and such estate so attached in your hands you secure and have the same before me at Jonesville on the 19th day of Jan^y ~~Dec~~ 1883 when and where you will return this warrant and how you have executed the same Given under my hand this 19th day of Dec^r 1883.

H. C. Joslyn J. P.

S. 50
J.P. 50

At the Office of H.C. Jorlym in Jonesville the 19th of Jan 1884.
John P. Graham Plff. } In debt on attachment
vs. }
Jeremiah Harber Dft.

Upon a hearing of this cause judgment is granted
the Plff against the defendant Harber for \$12.00 with legal
interest thereon from the 12th day of Feb. 1875. Till paid &
the costs which I ascertain to be \$1.⁰⁰ And the
Sheriff of the county who served the attachment in this cause
is ordered to sell so much of the undivided interest of
the dft Harber in the tract of land lately owned by Charles
Dougherty dead which has been attached for the purpose
as will pay the above judgment and costs.

Given under my hand this 19th day of January 1884.

H.C. Jorlym J.P.

John P. Graham

vs. } Attachment

Jeremiah Harber

On this 19th day of Jan 1884 I
have served the attachment
made on one undivided dead
part of the part of the real
estate owned by Charles Dougherty
at his death as the property
of the dft. Jeremiah Harber
R. D. Flanagan J. P. Co.

These returned Feb 12 1884

John R. Gibson clerk

Lis Pendens

B. M. Morgan & Co. for &c. Peff. In lch - Circuit Court
vs. } See County or foreign
Jeremiah Harber & al Defts Attachment.

The style of this suit now pending in the Circuit Court of Lee County Va. is as here stated. The object is to recover for the benefit of B. M. Morgan against the deft. Jeremiah Harber who is a non resident the sum of \$37.85 with legal interest on \$7.40 from the 21st day of March 1874 and on \$10.45 the residue thereof from July 15 1875 till paid, subject to a credit of \$5.20 paid January 6th 1875. And to subject to the payment thereof one undivided fourteenth part of the real and personal estate lately owned by Charles Daugherty dead but now owned by the Deft. Jeremiah Harber which has been attached in said cause by Process of foreign attachment.

The real estate thus attached lies on both sides of the main road about 15 miles west of the Court house and is $\frac{1}{14}$ of the farm on which said Daugherty lived at his death, and the personal estate attached is in the hands of J. D. Fulkerson curator of said Daugherty.

B. M. Morgan & Co for &c.
by A. J. Morgan

Virginia Lee County Court Clerk's Office October 3^d 1883

B. M. Morgan to for

no. { Leo Pencus

Jeremiah Harber to

Recorded in deed

Book No 20, P 289

J. H. Hyatt

Oct 3 - 1883

The foregoing Leo Pencus against Jeremiah
Harber was this day filed in the
office and a minute to record.
Deed J. H. Hyatt

Virginia

In the Clerk's Office of the Circuit Court
for Lee County at the Court House thereon
Tuesday the 25th day of September 1883.

B. M. Morgan & Co for &c
against

Plaintiffs

Jeremiah Harber et al

Defendants

In Chancery

The object of this suit is to recover
against the Defendant Jeremiah Harber the
sum of \$37.85, with interest on \$27.40 part thereof
from the 20th day of ~~March~~ 1874, and on \$10.45 the
residue thereof from the 14th day of July 1875,
and to subject to the payment thereof the
personal and Real Estate in the Bill and
proceedings mentioned, which has been
attached for that purpose; and it app-
earing from an affidavit filed in this
Cause that the defendant Jeremiah Harber
is a now-resident of this State: -
It is ordered that he appear herewithin
one month after due publication of
this order to do what may be nec-
essary to protect his interest in this
suit.

J. A. Hyatt Clerk

B. M. Morgan & Co. for &c
vs. Dred P. P. &c.

Jeremiah Harben et al

I certify that I delivered to the Ed. Leo Co. Sentinel an office copy of within O. P. for publication on the 26th Sept 1883 & posted a like copy thereof on first day of the Oct. County Court at the front door of the Court House of Le. County.

J. A. S. Hyatt
Clerk

THE COMMONWEALTH OF VIRGINIA.

To The Sheriff Of Lee County Greeting :

We Command You to Summon

Jeremiah Harber
and *L. J. Fulkerson* Curator of *Charles*
Laugherty deceased.

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in

October

next being rule day to answer a bill in Chancery exhibited in our said Court against

them

by

B. M. Morgan, Charles E. Baylor
S. H. J. Morgan late merchants & partners in
trade under the firm name of *B. M. Morgan & Co*
who sue for the benefit of *B. M. Morgan*

And have then there this writ. Witness J. A. G. HYATT Clerk of our said Court at the Courthouse

This

25th

day of

September

188

, in the 10

8

year of the Commonwealth.

J. A. G. Hyatt

Clerk.

By virtue of the order of attachment herein, I do depose that on this 29th day of Sep 1883 I read the same and one underlined further part of the real estate lately owned by Charles Daugherty dead, which now belongs to the deft Jeremiah Harkin. And I have further executed the same by delivering a copy of this writ to the wife of Deft. L. D. Fulkerson, he not being at his usual place of abode, and she being a white person over 16 years old; and I explained to her its nature & purpose.

Sep 29 - 1883.

S. H. Ewing, Deputy for R. D. H. County S. L. C.

Chd 136

(H. J. M.)
B. M. Morgan Esq for &
vs { Spa in Chcy
Jeremiah Harkin
Lo October Rules 1883

See return on
side -

The proper affidavit having been made the Officer serving this process, is ordered to attach the 1/4 part of the real estate, lately owned by Charles Daugherty dead, as belonging to the defendant 'Harkin'; and also to attach the personal estate in the hands of the deft. Harkin Esq for & to be come due the defendant Harkin to hold the same subject to the future order of the Court.

Sept 29 1883

Publisher's Certificate.

Jonesville, Va., Nov. 27th, 1883.

I. F. R. STICKLEY, *Publisher of the LEE COUNTY SENTINEL*,
a weekly newspaper published at Jonesville, Lee County, Virginia, do
certify that the annexed Chancery Order was published four successive
weeks in said newspaper, publication ending Nov 9, 1883.

I. F. R. Stickley, Publisher.

VIRGINIA.—In the Clerk's office of
the Circuit Court for Lee County at
the Court house thereof on Tuesday the
25th day of September 1883.

B. M. Morgan & Co for &c. plft. } In Ch'cy
against
Jeremiah Harber et al deft }

The object of this suit is to recover
against the defendant Jeremiah Harber
the sum of \$37.85, with interest on \$27.
40 part thereof from the 20th day of
March 1874, and on \$10.45 the residue
thereof from the 14th day of July 1875,
and to subject to the payment thereof
the personal and real Estate in the Bill
and proceedings mentioned, which has
been attached for that purpose; and it
appearing from an affidavit filed in this
cause that the Defendant Jeremiah Har-
ber is a non residence of this State:—It
is ordered that he appear here within one
month after due publication of this order
to do what may be necessary to protect
his interest in this suit.

A Copy Teste

H. J. Morgan P. Q. J. A. G. HYATT.

Clerk

*Published
for Lee
\$5.00*

B. M. Morgan & Co
Publrs
vs. } Certificate
Jeremiah Harber et al

Publrs fee
\$5.00
